

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

KENYATTA WRIGHT,	:	Civil No. 1:18-cv-1419
	:	
Petitioner,	:	
	:	
v.	:	
	:	
LAWRENCE MAHALLY,	:	
	:	
Respondent.	:	Judge Sylvia H. Rambo

ORDER

Before the court is a report and recommendation of the magistrate judge in which he recommends that the petition filed pursuant to 28 U.S.C. § 2254 be dismissed as both moot and without merit. No objections have been filed.¹

In considering whether to adopt a report and recommendation when no objections have been filed, the court should, as a matter of practice, “satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Fed. R. Civ. P. 72(b); *Univac Dental v. Dentsply Intern., Inc.*, 702 F.Supp.2d 465, 469 (M.D. Pa. 2010). Following an independent review of the record, the court is satisfied that the report and recommendation contains no clear error and will therefore adopted the report and recommendation.

¹ The docket in this case notes that the report and recommendation was mailed to Petitioner on March 20, 2019, but was returned as undeliverable with a notation that “sentence completed – not at this address.” Petitioner was previously notified of his obligation to keep the court apprised of any changes in address. (*See* Doc. 3.)

Accordingly, **IT IS HEREBY ORDERED AS FOLLOWS:**

1. The report and recommendation is **ADOPTED**.
2. Petitioner's petition is **DENIED** as moot and for failure to state a claim.
3. The Clerk of Court is directed to close this case.
4. The court declines to issue a certificate of appealability as Petitioner has not demonstrated a substantial showing of the denial of a constitutional right.

s/Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge

Dated: April 8, 2019